

### III. REMARKS

1. Claims 1-15 are pending in this application.

2. Claims 1-5 and 13-14 are patentable under 35 U.S.C. 102(b) over Tanaka et al. ("Tanaka"). Claim 1 recites in pertinent part, providing an alignment mask in which one side comprises at least one alignment mark and the other side is reflective in at least the area opposite to the alignment mark and adjusting the microscope so that the alignment mark and the mirror image thereof superimpose. Tanaka fails to disclose or suggest these features.

Tanaka discloses the adjustment of a mask to a workpiece. In the alignment method of Tanaka, the exposure light is radiated around the mask alignment mark image on the workpiece-stage mirror. The image formed by the mirror is detected by the alignment microscope, and the image position is saved in memory (col. 2, paragraph 4; Figure 2). After detecting the workpiece alignment mark in Tanaka, the position of the alignment mark on the workpiece is compared to the alignment mark on the mask, and the workpiece is moved for alignment (col. 5, paragraph 1). This is not what is claimed in Applicant's claim 1.

Claim 1 of the present application calls for adjustment of the alignment microscope using an alignment mask in which one side comprises at least one alignment mark and the other side is reflective in at least the area opposite to the alignment mark so that the alignment mark and the mirror image thereof superimpose. Again, Tanaka discloses that the workpiece is moved for alignment relative to the mask. Nowhere does Tanaka disclose or suggest adjusting the microscope so that the alignment mark and the

mirror image thereof superimpose. Therefore, claim 1 is patentable over Tanaka.

Claims 2-5 and 13-14 are patentable over Tanaka by reason of their respective dependencies.

3. Claim 13 is patentable under 35 U.S.C. 103(a) over Tanaka in view of Nishi et al., U.S. Patent 5,739,899 ("Nishi"). Claim 13 recites in part, adjusting an alignment microscope according to claim 1. As discussed above, Tanaka fails to disclose or suggest the features of Applicant's claim 1. Nishi also fails to disclose or suggest the features of claim 1.

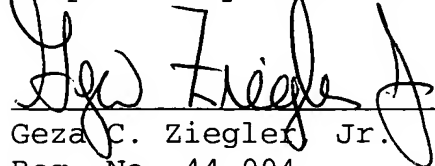
Nishi discloses a projection exposure apparatus in which a pattern formed on a mask is projected onto a substrate through a projection optical system (Col. 3, L. 23-38). Nowhere does Nishi disclose or suggest adjusting the microscope so that the alignment mark and the mirror image thereof superimpose as recited in Applicant's claim 1.

Because neither Tanaka nor Nishi individually disclose or suggest the features of claim 1, their combination cannot as well. Thus, Claim 13 is patentable over Tanaka in view of Nishi by reason of its dependency.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
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12 Dec 2005

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